IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

DISTRICT:

CIVIL APPLICATION NO. 2677 OF 2001

IN

FIRST APPEAL (ST.) NO. 42888 OF 1998

Office Notes,Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr. S. N. Gawade, AGP, for the Applicant.

Ms. Sawant i/by Mr. C.G.Gavnekar for the Respondent.

CORAM: S.B.DESHMUKH, J.

DATE : 24TH AUGUST,2006

P.C.:

Heard learned Assistant Government Pleader for the applicant and the learned Counsel appearing for the Respondent.

2. The applicant is seeking condonation of about 1 year and 129 days delay occurred in filing the

first appeal in this Court. Delay caused, is explained in paragraph nos.2,3 and 4 of the civil application. It is alleged in these paragraphs that for filing of this first appeal in this Court, certain procedure is required to be undergone along with scrutiny of the judgment of the trial Court. In this process, delay of 1 year and 129 days is occurred in filing the first appeal.

3. There is no reply filed on behalf of the respondent refuting the contention raised in the civil application. In this view of the matter, in my view, case for condonation of delay is established.

4. Accordingly, the delay of 1 year and 129 days caused in filing the first appeal in this Court, is condoned. The civil application, accordingly, is allowed and disposed of.

Sd/-

(S.B.DESHMUKH, J.)